

Statement

Insurance Association of Connecticut

Judiciary Committee

March 9, 2011

HB 6493- An Act Permitting Appeals In Small Claims Matters

The Insurance Association of Connecticut, IAC, is opposed to HB 6493, An Act Permitting Appeals In Small Claims Matters which seeks to establish an appeal process for small claims.

Creating an appeal process from a small claims decision runs contrary to the intended purpose of small claims courts. Small claims courts are meant to be one-and-done. The court process is designed to provide a medium for the average individual to bring a claim of small value to be heard before a tribunal without the need for lawyers. The evidentiary standards of these courts are much more lax. The jurisdictional amount is far lower than that of the Superior Courts. The pleadings in small claims are quite simple and less burdensome. The economics of these cases do not justify the expense that the appeal process necessitates.

There is no need for an appeal process from small claims. There is already a mechanism for parties to remove an action from the small claims docket to preserve's one right to appeal. A party simply must remove the matter to the Superior Court. Should parties choose to gamble in small claims and not remove it to the Superior Court then they are bound, and should remain bound, by that court's decision. The Connecticut judicial process should not be turned on its head to protect those individuals who have failed to avail themselves of the protections the court system already provides.

The IAC urges your rejection of HB 6493.